

ASIAN AMERICAN OWNERSHIP

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of License(s): 1
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Korean Broadcasting Corporation
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Long Island City, NY 11101
W53AA
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of License(s): 1
3. Polynesian Media LTD.
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Paia, HI 96179
Phone: (808)878-3014
Fax: (808) 878-1662
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of License(s): 0
4. James Sim
Korean American Television
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W67CI
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5. Deepak Viswanath
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of License(s): 1
6. Dilip Viswanath
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K19DW W43BI
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Fax: not available
of Permit(s): 4
of License(s): 0
7. Victor Agmata
170 North King Street
Honolulu, HI 96817
K56EQ
Phone: (808)847-1151
Fax: not available
of Permit(s): 1
of License(s): 0

ASIAN AMERICAN OWNERSHIP

Total Asian American Owned Permits = 9

Total Asian American Owned Licenses = 4

Total Asian American Permittees = 3

Total Asian American Licensees = 4

Total Asian American Owners of Both Permits and Licenses = 0

Total Minority Ownership

Grand Total Minority Owned Permits = 118

Grand Total Minority Owned Licenses = 138

Grand Total Minority Permittees-Only = 39

Grand Total Minority Licensees-Only = 63

Grand Total Minority Owners of Both Permits and Licenses = 13

Total Minority Owned Licenses and Permits = 256

Total Minority Licensees and Permittees = 102

EXHIBIT III

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LOW POWER TELEVISION BROADCAST LICENSEES ARE REQUIRED BY CONGRESS TO BE INCLUDED AMONG THOSE HAVING "INITIAL ELIGIBILITY" FOR ATV SECOND CHANNELS.

The Telecommunications Act of 1996 provides that:

If the Commission determines to issue additional licenses for advanced television services, the Commission [(1)] should limit the initial eligibility for such licenses to persons that, as of the date of such issuance, are licensed to operate a television broadcast station, or hold a permit to construct such a station (or both). . . .

New 47 U.S.C. Sec. 336.¹ The term, *television broadcast station*, necessarily includes low power television broadcast stations. The Act long has defined "broadcasting" meaning, "the dissemination of radio communications intended to be received by the public, directly or by the intermediary of relay stations," 47 U.S.C. Sec. 3(o). Both full service TV stations and LPTV stations fall within such classification.

This conclusion receives strong support from the Commission's established rules of classification and other rules. FCC Part 74 Rules and Regulations define "TV broadcast licensee" as, "Licensees and permittees of both TV broadcast and low power TV stations, unless specifically otherwise indicated," 47 C.F. R.

¹ "Person" has long been defined by the Act to include "an individual, partnership, association, joint-stock company, or association," 47 U.S.C. Sec. 3(i).

Sec. 74.601(e). Low power television broadcast stations have been held to be subject to the full panoply of technical and content-based regulations applicable to other broadcast stations, Sec. 74.780 of the Rules, and Part 73 Rules incorporated therein, see Report and Order in MM Docket No. 87-44 (April 12, 1987), revised, MM Docket No. 87-244 (September 21, 1987).

Spectrum scarcity for ATV, where it exists, is no obstacle to implementing this Congressional directive. The statute does not guarantee each television broadcaster an ATV companion channel. Rather, the statute only states that initial "eligibility" must be limited to incumbent TV broadcasters. The Commission already has enunciated a set of priorities for those instances, if any, where a congested area does not yield sufficient channels for ATV pairing. The statute's eligibility requirement is not violated if less than all those eligible can be accommodated, as the Commission appears already to recognize. Low power television licensees similarly can be accommodated to the extent that this is practicable -- indeed, statutorily must be accommodated in the very first round. Given the secondary status of LPTV, the second-channel allotments, as to it, must be accorded a lesser priority than full service TV stations that have permits outstanding or are operating and licensed.²

Even if the Statute afforded the Commission latitude to omit

² The Commission would appear to have no leeway under the Statute to give precedence to a pending contested application case or vacant allotment, as opposed to a presently existing LPTV construction permit or license.

Low Power Television from the initial round -- and there is no basis to infer such latitude -- a failure to accommodate LPTV at the earliest opportunity would disserve the public interest and would be arbitrary and capricious. The Commission recognizes that there are 1,825 UHF and VHF low power television stations, compared with only 1,546 UHF and VHF commercial and educational stations. Primarily because of the regulatory history of the LPTV service, and not as the result of market forces, LPTV stations are principally distributed through areas that are unserved or underserved by full service TV. The Commission may not make selective provision in the ATV transition for full service TV stations only, consistently with its duties to promote competition in commerce and deter monopolies (47 U.S.C. Sec. 314) and its obligation to promote a "fair, efficient and equitable distribution of radio services. . . ." (47 U.S.C. Sec. 307(b)). The eventual extinguishment of the majority of television broadcast stations, by deliberate or inadvertent government decree, would be impossible to reconcile with these objectives.³

Concluding that low power television must be accommodated with paired ATV channels in the initial round, albeit on a

³ The station totals set forth in this paragraph are presented in the Commission's Initial Regulatory Flexibility Assessment, Fifth Further Notice of Proposed Rule Making in MM Docket No. 87-267, XVI, at p. 29. Because nearly all LPTV stations licensees are small entities, and because the statute demands particular attention and sensitivity where individuals and smaller entities are affected, the Commission's failure to date to fully accommodate LPTV, if uncorrected, will stand as one of the most egregious displays of regulatory inflexibility in all the annals of administrative rule making.

secondary basis and subject to second channels being fully allotted for full-service licensees and CP holders, there remain two intricate transitional issues: power limits, and the accommodation of TV translators. LPTV stations operate at substantially reduced power levels from other television broadcast stations. Accordingly, paired channels for ATV operation by low power television, at least logically, should be reduced. But what would be a proportional or pro rata reduction, in light of ATV's new and different propagation and interference characteristics? This is a suitable question for notice and comment rule making, to develop a full record. Ideally, rules should be devised that give LPTV an upgrade path to full service TV operations, if that can be done in a particular locale without new potential for destructive interference. The touchstone, here as elsewhere, must be the fullest development of free over-the-air choices for the public, in the new ATV universe.

Television translators are subject to many of the same regulatory requirements as originating LPTV's, see discussion above regarding Sec. 74.780 of the Rules. However, translators have not traditionally been considered or defined categorically as television broadcast stations, except in certain narrowly defined particulars. The question arises, should translators be paired with second channels during the initial round, and at the same time as LPTV's? This question is likely to be more theoretical than real, because intensive translator uses are limited, almost without exception, to isolated places unable to receive over-the-

air television service, and otherwise not particularly beset with the types of radio frequency congestion that render planning so difficult in the top markets. Again, this area may best be explored through rule making. The Commission has a special obligation to promote television broadcast service to underserved rural areas, and it may be technically feasible to include TV translators in the first round -- again on a secondary basis -- within the available channel budget. This will not be possible if the Commission adopts restrictive, new protection criteria. For example, the current freeze on new TV broadcast -- full service TV or low power TV -- within 100 miles of the reference point for the largest markets, is unduly restrictive. Precisely those areas that are well beyond the reach of Grade-B service, or worse, are those where translators have flourished, to fill in the gaps. Hopefully, if the Commission opts for more realistic interference criteria, most translator systems and services will be capable of full accommodation.

Finally, the conclusion that low power television must be incorporated as a secondary but full voting partner in the first round of ATV channel pairings raises an important corollary. No one knows the eventual timetable for significant ATV set penetration, for transmission system switchovers, for widespread ATV program offerings, and certainly we are in the dark as to the breakeven points for manufacturers and for broadcast stations in the new world of advanced television. Given these uncertainties, no station licensee should be threatened with the loss of its

franchise in NTSC, as the price of accepting an ATV second channel. The Congress and the Commission anticipate that one channel will need to be returned one day. That seems reasonable, if perhaps unrealistic.⁴ What is not reasonable is to dictate the particular channel that must be returned. Every broadcast station licensee should have the option to switch over to ATV at the appointed time -- whatever the Commission determines that to be -- or be at liberty to continue its uninterrupted service in the public interest, using the existing NTSC channel. The Commission should seek comment on that approach, but should offer the commenting parties this caution. The argument that broadcast stations must be forced -- even if it be down a trail of tears -- to the new location, was resolved, when it was decided that broadcast stations, and they alone, should receive the privilege of a second channel. If we cannot repose confidence in their resolve to make full and timely use of this new franchise, then this core planning assumption -- the broadcasters' automatic pioneer preference -- should be set aside, in favor of some other scenario.

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⁴ Only the full pre-qualification of an existing, paid-up successor, with all administrative and judicial appeals exhausted when the time comes, is going to assure that transition actually happening.

EXHIBIT IV

LPTV ALLOTMENT WINDOW

The effect of implementing any of the above described technical planning factors, eligibility policies, or allotment criteria will be to increase the number of existing LPTV authorization holders to survive the second-channel-for-full-powers allotment process. The result is that LPTV services to their audiences will be preserved. If this Commission sincerely works towards adopting every feasible option above, the cumulative effect of all of these adjustment will be that the vast majority of existing authorized LPTV license holders will be protected, without preventing the assignment of second channels to every existing full power authorization holder. In fact, in all but the most crowded markets, there will be sufficient excess spectrum to give a second channel to each LPTV station for their conversion to DTV and to auction a block of spectrum to newcomers for future technologies.

When the Commission decides it is in the public interest to preserve and nurture the services provided by the 1800 LPTV licensees, the LPTV service must, like its full power counterparts, be given a path onto the digital future. For the FCC to make an effort to accommodate LPTV implies two significant changes in addition to the allotment increasing options described above.

ATV-LPTV'S MUST BE PRIMARY

First, given the anticipated high cost of switching to DTV/digital, any DTV allotments for LPTV stations must be primary. **Offering only secondary DTV authorizations is similar to advising someone to build a house on a lot but allowing them only a to lease on a month-to-month lease on the plot. No one would exercise that right, because they would have no certainty of using what is constructed long enough to justify the cost. No business can invest in company infrastructure unless the business has assurances of being allowed to use the equipment long enough to amortize its costs. Also, few viewers would purchase DTV receivers to watch a programming service that might permanently disappear at any time.**

The existing LPTV service grew in the last 15 years almost exclusively by the investment of personal equity by the station owners. Investment capital and business loans were almost non-existent, in large part, because the secondary status of these stations made their continued existence too speculative to satisfy anyone to repay the investor or loan.

If LPTV stations are required to use secondary authorizations to convert to DTV/digital they will not be able to raise the money needed to buy their DTV facilities. **Conversely, if an LPTV is given primary status upon converting, many licensees will be able to quickly find the investors or borrow the money needed to fund their conversion. A primary 6 MHz channel is enough collateral to support the investment.**

Second, existing LPTV authorization holder must be given realistic opportunity to apply for DTV conversion channels. This could be done in several ways. The Commission did commit its scarce staffing resources to identify DTV channel pairs for each full power station. Thus, it would be equitable for the Commission similarly to expend its limited resources to find channels for these much smaller businesses, who can ill-afford the cost of finding their own channels.

A FALL-BACK OPTION ON-CHANNEL CONVERSION

The Commission could permit LPTV licensees to convert on channel, beginning when 50% of the TV households have HDTV reception capacity and not later than at the end of the NTSC-HDTV simulcast period.

SPECIAL FILING WINDOW FOR LPTV

The Commission could, after allotting second channels to the full power license, provide an opportunity for LPTV. Before taking spectrum away from the broadcast service, allow LPTV licensees a filing window to apply for primary HDTV-LP channels on a demand basis (whatever size and shape). Or, the Commission could adopt technical standards and planning factors for a primary HDTV-LPTV service and open a filing window for LPTV licensee and permit holders to file for HDTV-LP allotments.

NATIONWIDE SPECTRUM POLICY SHOULD NOT BE BASED ON MOST CROWDED MARKETS

The Commission makes a damaging mistake when it adopts spectrum policy for everywhere in the country based on the spectrum demands in the thirty most crowded markets. Just because channels are scarce in Los Angeles does not mean there will be comparable demand for spectrum in Salt Lake City or Memphis, TN. **In fact, there are enough channels for both existing full and low power broadcasters to have 12 MHz of spectrum in Salt Lake City even after 60 MHz of spectrum have been auctioned off for other uses. Why destroy the Salt Lake City LPTV stations because L.A.'s spectrum is crowded?**

The Commission should develop a HDTV-LP allotment plan that accommodates as many of the existing stations as possible and, if a few stations in the most crowded markets cannot be saved - at least the damages has been held to a minimum.

RETURNED SPECTRUM AVAILABLE FOR LP

The Commission states that it will require the full power licensees to turn in one of their two licenses at the end of the transition period (e.g. in 10 years). **The Commission, however, overlooks the impact of this position which is that thousands of channels will suddenly be available. Each surrendered NTSC license frees up not only that channel, but the upper and lower adjacent and eleven VHF**

taboo channels it precluded from use (+/-2, +/-3, +/-4, +/-5, +7, -14 and -15). Even if 10 of the channels thus freed up are auctioned to new services, this will still leave approximately two dozen unoccupied, suitable for HDTV-LP in each market except New York and Los Angeles.

The Commission could designate now ADTV-LP pair channels from the channels to be freed up at NTSC turn in date. Further, the Commission could even issue conditional licenses for these HDTV-LP channel pairs. **Specifying now the successor licensee which would receive the channel, to-be-given-back, would give new credence to the Commission's oft-stated position that the second channel being given full power licensees is merely a loan to facilitate the transition to HDTV.** It would also prevent suspicions about a possible spectrum giveaway to a small club of billion-dollar media oligopolies.

There will be four positive effects on the ADTV transition process by the Commission designating now which returned channel a LPTV licensee would use for its digital-primary channel. First, the waiting LPTV licensees will serve as an effective guard against last minute attempts at Congressional end-runs to thwart the channel turn-in requirement. Second, at the termination of NTSC, the number of HDTV authorizations will double, rather than the number of operating television stations suddenly dropping by one half or more.

Third, in the many towns and cities where a LPTV license is serving as the only local television outlet, this advance LPTV-DTV-LP pairing will provide an

assurance to these stations' audiences that their invaluable local television will be continued after digitization of TV. Fourth, advanced guarantee of a DTV migration path will stimulate the growth of LPTV, rather than stifling it, resulting in the expansion of their businesses through increased capital accumulation, developing lines of credit, and the equipment purchases for building the replacement channels they are pre-paired with. Accommodating LPTV stations on spectrum freed-up by the NCST-channel-give-back will not allow LP's the benefits of a simulcast period during which to adjust their TV receiver base.

SECOND WINDOW FOR LPTV

The Commission could allow full and low power TV stations to implement the conversion to ATV almost in parallel by having a "Second Window" for HDTV applications from LPTV authorization holders immediately after the full power channel pair assignment process is completed. The LPTV transition process would then follow the full power conversion process by six months or a year and, perhaps by virtue of a shorter transition period, their NCST turn off/give back date could be made to coincide with the full powers'.

This second filing window would be restricted to part 74 television broadcasters, consistent with the mandate in the 1996 Telecommunication Act. Timely applicants would, on a space available basis, be allowed to apply for channels with transmitter sites within 40 miles of their existing transmitter sites. Those finding a channel and being awarded a simulcast channel would, upon activating their ATV

channel, become Part 73 licensees. This new class of TV station would have all the responsibilities of Part 73 license except the City Grade Coverage requirement.¹

FITTING LPS IN ATV WHITE AREAS

In the nationwide grid of full power ADTV stations, there are white areas - areas not "occupied" by any station for each channel. Some of these areas have too few people to support a full power station, e.g. in mountains, deserts, forests or more than 75 miles from any city of over 100,000 people. **Some of these white areas have enough people to support a small station, particularly a small, low cost station, but the hole in the grid is too small to fit in a full power allotment without causing unacceptable levels of interference to the existing allotment. These undersized spaces between the full power allotments can accommodate smaller sized ADTV allotment. ATV-LP!**

In today's allotment system, many large cities with no available spectrum for additional full power allotments are now accommodating several low power TV stations that were fit into holes in the NCST channel grids. These NCST-LPTV stations make valuable use of spectrum that otherwise would have been wasted. Similarly, the grid of full power ATV stations will have heavily populated holes that are too small for new full power ATV allotment. ATV-LP's could be engineered into those undersized spaces. Since these channels will already be in heavy use by full power ATV stations, they will not be available for auctioning, so no revenue will be

lost to the Government. But the hundreds of small businesses that make up the LPTV industry will be preserved and the millions of viewers of their narrow-cast services will continue to get their (now digitized) LPTV service. Spectrum efficiency will be improved, with little cost to the Government.

Making this more efficient use of the ATV channels is both equitable and fair. LPTV stations are in every sense broadcasters, just like their full power counterparts.

Implementation of a Second Window for HDTV-LP applications would require the Commission to make several implementation decisions. These issues should be included in the soon to be adopted HDTV allotment NPRM. That inclusion would ensure that the Commission would receive the needed public comment on how to implement this phase of the HDTV allotment process. The Commission should solicit comments:

- o on the cochannel D/V between full power ATV stations and HDTV-LP's,
- o the maximum EPR, transmitter output power, HAAT, and height above ground this new class of primary stations can have.
- o what would be the maximum number of these stations owned by a single license in the same market or in the entire U.S.,
- o must carry eligibility should be proposed,
- o which Part 73 rules are to be made applicable to HDTV-LP's.

CONTRIBUTIONS TO THE AIRWAVES

LPTV stations provide more local programming than their full power counterparts. Typically they carry more children's programming. They observe the same practices regarding political advertising, personal attacks, obscenity, lottery information, Emergency Broadcast warning, copyright liability, retransmission consent and non-ionizing electromagnetic radiation. Despite being necessarily handicapped by their small size and unnecessarily handicapped by secondary license status and limited "must carry" rights, they compete against cable TV and full power broadcasters for local advertisers and the most desirable programming lineup. And often times on a scale relative to their size, LPTV stations win this competition and are the best broadcasters for their audience.

In 1996, LPTV stations are big-four network affiliates, or UPN or WBN affiliates. They broadcast independent formats, foreign language formats, interactive music boxes, home shopping outlets; they can be small non-commercial stations and religious or family-oriented formatted stations. Unlike its full power counterpart, a significant percentage of the LPTV industry is owned and operated by Native Americans, Asians, Hispanics and Blacks. Why should the Commission destroy most of this service, particularly when such destruction is unnecessary?

The LPTV industry has been built from the personal savings of its owners with of sweat equity. Unlike the full power television industry where up to 90% of the construction or purchase cost of the typical station is either passive investor money or loans, the LPTV industry lacked access to outside capital and was built

almost 100% with owner equity. These small companies accepted the risk of being displaced by full power stations, put their blood, sweat and tears into the investment of their personal funds and turned their LPTV applications into viable broadcast stations. How is that any less commendable than what full power licensees did by buying their licenses with someone else's money?

These small businesses provided television advertisement opportunities for merchants too small or too local to pay for full power television ads. They built formats that provide services to towns or viewer groups that were too small to be targeted by full power stations. How is this LPTV free over-the-air programming less valuable, less deserving of preservation than the pass-through of big four network feeds by full power stations? All 1,800 LPTV stations were built without any Government subsidy and a FCC Mass Media Bureau that vacillated between benign, neglect and outright hostility. It is not fair for the Commission to ignore and/or purposefully destroy this half of the television broadcast stations because they are newer, smaller, Blacker or licensed as secondary.

The LPTV industry understands that we are requesting more staff work from a resource-strained Commission. Our request may delay release of the HDTV Allotment NPRM a month or more. The Commission's task with ATV and the spectrum allotment process is preparing the framework for television broadcast well into the next century. Surely, Congress will understand a delay in carefully considering ways to accomodate 1800 LPTV stations in this major transition, particularly when 53 Members have requested such accomodation.

The Commission must carefully consider if destroying the television service to millions of underserved, neglected, small market or minority television viewers is.

The Commission is proposing to destroy hundreds of new, vibrant, growing, innovative small businesses that employ thousands of people. The Commission is getting ready to shove 7/8ths of the minority TV broadcasters out of the telecommunications industry. And all of this terrible destruction is unnecessary. The extra FCC staff time and resources to do a better, fair, more honest, more equitable job is the only right thing to do.

The Commission's refusal to take LPTV into account in its ATV transition plans in the past is the result of automatically accepting the theory that there is not enough spectrum for all the full power stations, let alone the thousands of LPTV licensees. Instead of tenaciously holding onto the spectrum shortage thesis, the Commission should be providing leadership in carving spectrum as carefully as possible to maximize the number of broadcasters.

A LPTV-only ATV application window is in the public interest, consistent with the will of the U.S. Congress, equitable, is a spectrum efficient policy, is consistent with plans for future auction of excess VHF spectrum. It will also save hundreds of small businesses and 7/8ths of the minority licensees in the television business while preserving numerous specialized formatted stations serving underserved audiences. Further, it promotes local programming, saves many viewers their only free over-the-air television and speeds the conversion to HDTV.

Respectfully submitted,

The LPTV Industry

1.

EXHIBIT V

DISCUSSION OF CHANNEL REPACKING

1. Will consolidation of stations, sometimes called channel repacking, save spectrum? It depends.

DEFINITION OF "CHANNEL PACKING"

2. If by repacking, we mean putting channels up against one another, first adjacent, (contiguous spectrum), then we can save from preclusion those areas that are close in to the tower where close in adjacent signal spill over from one channel into its neighbor. This can work. In fact, it can work with NTSC stations today!

3. In order that first adjacent stations not interfere with one another they must be co-located and have similar power and antenna systems.

CO-LOCATION REQUIRED FOR EFFICIENCY

4. This places a new limitation on allocation flexibility, and forces stations to use common towers and antennas, or nearby towers and antennas.
5. Stations operating first adjacent on a common antenna must have filters to keep one stations signals from mixing with the other first adjacent neighbor. Such a filter is not possible without causing severe distortion to the transmitted signal.
6. A common antenna could be made to work with less filtering. Let's say we had six stations at one site. This might be done with six stacks of panel antennas, six phase stable 3 dB hybrids, and six phase

stable high power co-ax runs up the tower. No one has ever built such a system, and it surely would be far more expensive than one 30 MHZ wide TV channel, one transmitter, and one co-ax.

7. FCC rules would have to accommodate wider TV channels, would have to force broadcasters to share transmitters and antennas and towers. Law would have to be created governing such arrangements.

8. In addition, repacking assumes new transmitters, co-ax runs, and antennas at each repacked station.

REPACKING COULD BE DONE TODAY

9. The fact of the matter is that repacking is possible today. I have do co-located NTSC stations in LPTV. It really works, if done right. But in full service, it hasn't been attempted. Why?

10. Possibly because the spectral savings after all the cost and heartache of relocation is only a small collection of small geographic preclusion puddles around each of the few towers where common transmission plants can actually be created.

11. The savings due to repacking are small. The cost is high. And in many cases, repacking can't work.

12. In the above argument, I have assumed that interference between first adjacent stations is not allowed. Of course we could save spectrum by allowing interference. In fact, we could just require stations to all use the same channel! That would also cause more interference, but save more spectrum. So the principle of non interference raises the cost of repacking to a very high level.

13. In the Western states translators are extensively used to fill in holes in coverage. If each VHF station relocated to UHF will require many more translators to provide ATV coverage than they do today.

These translators will need spectrum in which to operate. The FCC will not allow first adjacent translator operation for the same reasons it is not allowed today, interference. Assuming coverage remains constant, A move to UHF, in some markets, is likely to result in net spectrum loss. Of course, we can assume coverage shrinks by allowing increased interference or reducing the number of channels.

INCREASE IN EFFICIENCY IS SMALL

Repacking TV stations into a contiguous slice of spectrum will result in a small increase in spectrum efficiency, if any, at enormous social cost.

Around each transmitter is a small zone in which unintended radio emissions can cause interference to reception of an adjacent channel. This is called first adjacent interference. It can be eliminated if the stations are co-located on the same tower, use the same or a similar antenna, and have similar or the same power. First adjacent interference will be of less power than the desired signal, so this method works.

For example, an LPTV system at Anchorage Alaska, has channels 63,64,65, and 66 on the air simultaneously. Another at Kenai Alaska broadcasts channels 8, 9, 10 and 12 on the same antenna. So, it is proven that repacking is possible today, with NTSC. Why wait?

The spectrum saved is in that very small zone around each transmitter wherein first adjacent interference would destroy reception its spectral neighbors. We might be talking about two or three square miles, much less area than an LPTV station would cover. There are 1,550 TV stations in the USA, so total area repacking might save is 4,600 square miles for each adjacency or the about 9,600

square miles if it were one channel. This is about the same as the coverage of one full service TV station. So total spectral savings of repacking will be worth one full service TV channel.

COST OF REPACKING IS VERY HIGH

This savings would be at the cost of forced relocation to common sites of all repacked transmitters. If these stations are not relocated, then there is no spectral savings.

Transmitters and their sites are, for the most part, owned by private individuals or companies. It is impossible to imagine ALL private entities and governments coming to agreement on issues such as Rents, building space and security, power cost and availability, zoning, tower strength, antennas power capability, radio frequency exposure. Repacking of all stations won't be accomplished without Federal intervention, condemnation, and acquisition of American TV broadcast transmitter plants. Without Federal ownership of TV broadcast facilities, co-location is a pipe dream. Without co-location, spectral savings is fantasy.

Repacking without the Federal government forcing of co-location means you get zero spectral efficiency. Why? Because you still get first adjacent interference!

OPTION: FULL SERVICE STATIONS START SECOND CHANNEL BUT MAY KEEP EITHER CHANNEL AFTER TRANSITION PERIOD

1. A full service station may or may not build a second channel. If the station elects to do so, it would not be required to meet a minimum power requirement.
2. Thus, if a station finds it difficult or impossible to construct a second channel duplicating the coverage of their present NTSC channel, the station can provide ATV service on a smaller transmitter. In many cases a smaller transmitter could reach most of the population covered by the existing NTSC transmitter.
3. The full service station may operate the new facility in NTSC or ATV mode, and may operate the old transmitter in ATV or NTSC mode, but may not operate both channels in NTSC or ATV modes simultaneously.
4. After the transition period the full service station may elect to keep either channel, but may not keep both.
5. The public interest is served in that many stations will be financially stressed building and operating full powered second channels. In addition, some markets, especially smaller and rural markets cannot support the investment needed for full power dual channel operations.
6. Stressed stations would be forced to reduce public interest programming, greatly reduce coverage to rural areas, or worse, to cease operations.